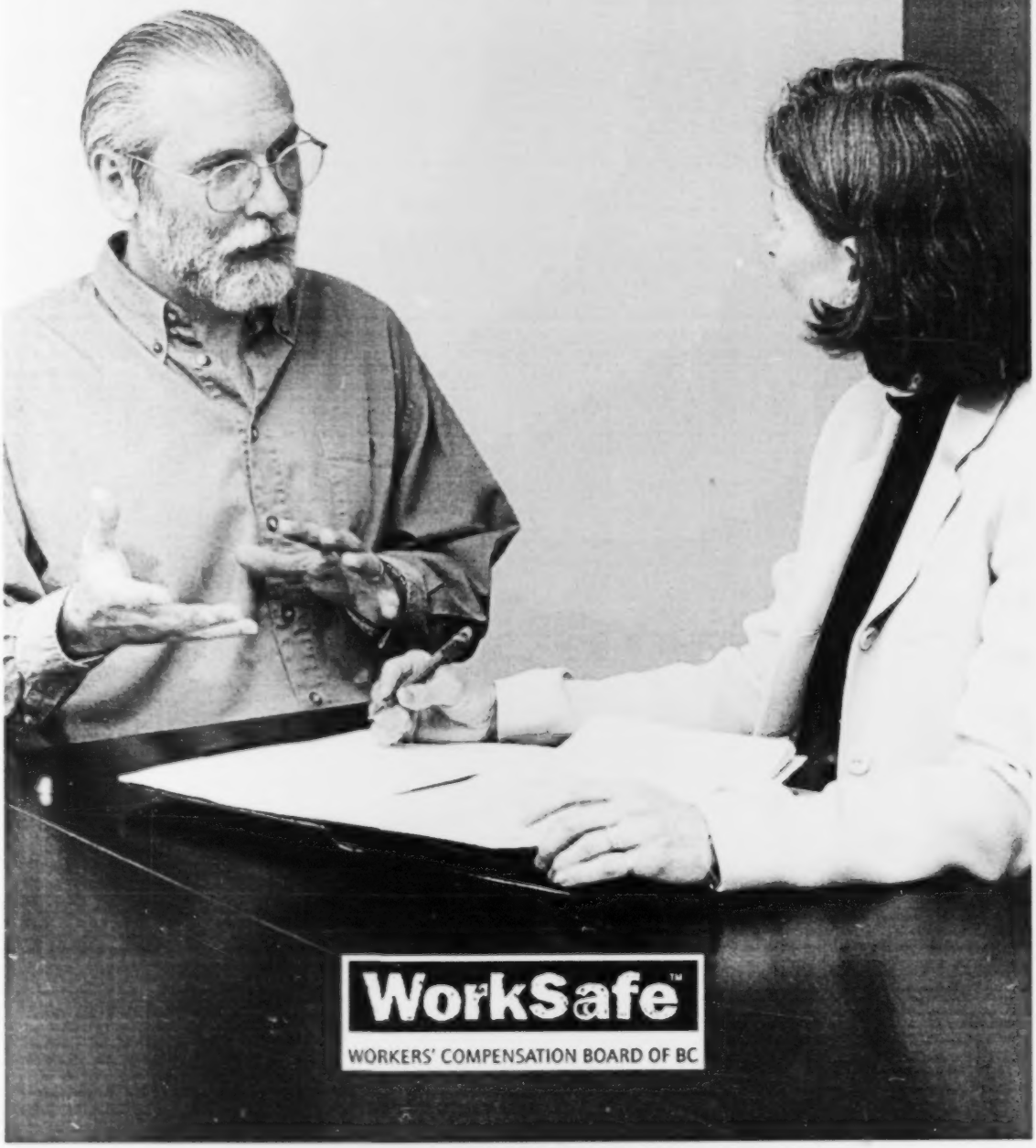
WCB Benefits and Services

A handbook for workers



WorkSafe™

WORKERS' COMPENSATION BOARD OF BC

If you have difficulty reading English and have questions about your WCB claim, we will provide a translator for you. Please contact the WCB staff member handling your claim and ask him or her to arrange translation for you.

如果您對工人賠償福利（WCB）有任何疑問，而又看不懂英語，我們會爲您提供翻譯員。請與負責處理您索賠申請的工人賠償局職員聯絡，要求該職員爲您安排翻譯服務。

Si vous avez de la difficulté à lire l'anglais ou vous désirez des éclaircissements au sujet de votre demande d'indemnisation pour accident de travail, nous vous offrons le service de traduction. Veuillez communiquer avec l'employé de la Commission des accidents de travail qui s'occupe de votre demande et demandez-lui de faire les arrangements nécessaires.

Se você tiver dificuldade para ler em inglês e tiver perguntas com relação à sua reivindicação junto a WCB, nós providenciaremos um tradutor para você. Favor contatar o funcionário da WCB que está processando sua reivindicação e pedir a ele ou ela para providenciar a tradução para você.

ਜੇ ਤੁਹਾਨੂੰ ਅੰਗਰੇਜ਼ੀ ਪੜ੍ਹਣ ਵਿਚ ਮੁਸ਼ਕਲ ਆਉਂਦੀ ਹੈ ਅਤੇ ਆਪਣੇ ਡਬਲਯੂ ਸੀ ਬੀ ਕਲੇਮ ਬਾਰੇ ਤੁਹਾਡੇ ਮਨ ਵਿਚ ਸਵਾਲ ਹਨ ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਤਰਜਮਾ ਕਰਨ ਵਾਲਾ (ਟਰਾਂਸਲੇਟਰ) ਦੇਵਾਂਗੇ। ਡਬਲਯੂ ਸੀ ਬੀ ਦੇ ਉਸ ਸਟਾਫ ਮੈਂਬਰ ਨਾਲ ਸੰਪਰਕ ਕਰੋ ਜਿਸ ਕੋਲ ਤੁਹਾਡਾ ਕਲੇਮ ਹੈ ਅਤੇ ਉਸ ਨੂੰ ਕਹੋ ਕਿ ਉਹ ਤੁਹਾਡੇ ਲਈ ਤਰਜਮੇ ਦਾ ਪ੍ਰਬੰਧ ਕਰੇ।

Si lee inglés con dificultad y tiene preguntas acerca de su reclamo ante el WCB, nosotros le proveeremos un intérprete. Sírvase contactar al empleado que se ocupa de su caso y pídale que haga los arreglos necesarios para obtener un intérprete.

Please note:
This handbook is for your information only. Should this information differ from the *Workers Compensation Act* or WCB policy, the Act and WCB policy will prevail.

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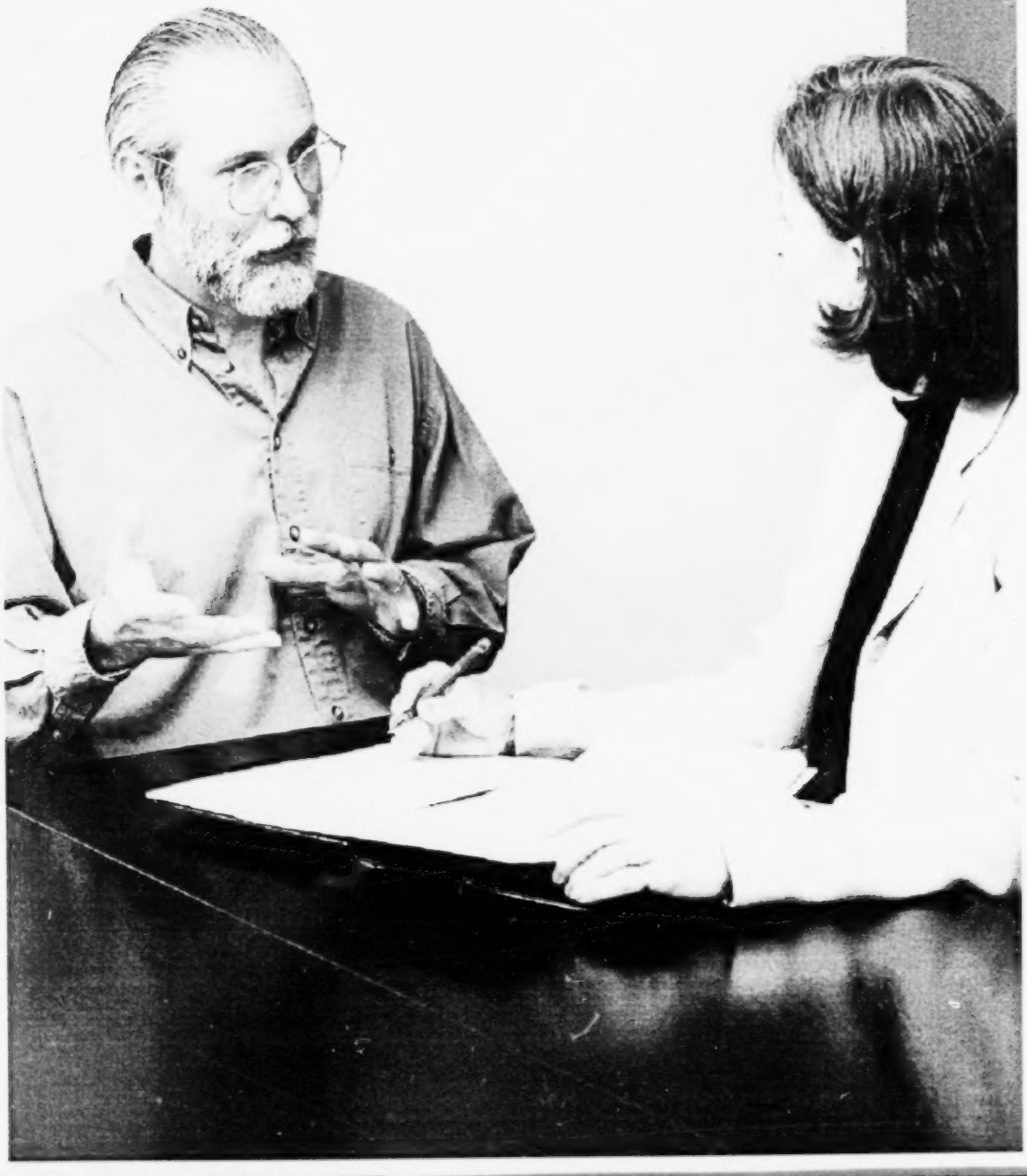

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Your personal claim information

Use the following form to record the important details of your WCB claim.

Claim number	
Date of injury *(or date you first noticed symptoms)*	
Injury details *(body part(s) injured, how, etc.)*	
Case manager's name	Phone number
Other WCB staff spoken to *(name, phone number, date, and topics discussed)*	

How to use this handbook

This handbook is divided into four main sections that take you step-by-step through the workers' compensation system:

1. The basics of workers' compensation
2. The types of benefits you can expect
3. Your rights and responsibilities within the compensation system
4. Returning to work

When you're searching for information, the best place to start is the contents page. The table of contents on page iii gives you an overview of how the information is organized.

Also, on pages 16 to 18 you'll find a list of phone numbers, fax numbers, and addresses of WCB and WCB-related offices if you need more information than is in this book.

The basics of workers' compensation

Who is covered

Most people working in British Columbia – whether they're working full time, part time, on contract, as casual labour, or as the principals or owners of a company – are covered by the Workers' Compensation Board (WCB). You are covered even if your employer has failed to register with the WCB.

You or your dependants may be eligible for compensation by the WCB if:

- You are injured or killed on the job
- You are disabled or die from a disease that results from working at your job

If you are self-employed, contact the WCB's Assessment Department for information on personal optional protection.

What is a "work-related injury or disease"

The WCB will compensate you or your dependants for only a *work-related* injury or disease.

> A work-related injury is one that arises out of and in the course of employment and a work-related disease is one that is due to the nature of your employment.

For injuries, this generally means you must have been working when you were hurt and it must have been caused by something to do with your job in order to be covered by the WCB. For a disease, this means that the disease you contracted must be caused by the work or the work environment in order for you to be covered by the WCB. The WCB covers both physical and psychological injuries.

If you are injured on the job or develop a disease as a result of your work and the WCB accepts the claim, we will pay for your medical costs (up to certain limits and with some restrictions) and part of your lost income while you are unable to work.

Who pays for the compensation system

The WCB is an insurance system paid entirely by employers. The compensation system is not paid for by provincial or federal taxes. It's against the law for your employer to deduct money from your wages or salary to pay your company's WCB premium charges.

In return for employers funding the system, you cannot sue your employer, another employer, or another worker for the workplace injury or disease.

Your claim number

When you make a claim with the WCB, we will give you a claim number. With this number, you can phone the WCB call centre serving your region and use an automated telephone system to find out if your claim has been accepted by the WCB. You can also check the status of your claim online by visiting www.worksafebc.com, then selecting "Check the status of a claim" from the WorkSafe™ Online Services menu. Your employer and your doctor will also receive your claim number and will be able to phone to see if the claim has been accepted. Your employer and doctor *cannot* find out any of your personal information from this service.

Your personal access number

If you are off work because of your injuries or disease and your claim has been accepted, you will also receive a personal access number and instructions on how to use the WCB's automated phone system or Online Claim Status application for information on:

- Whether a payment has been made to you
- How much that payment is
- When the cheque was mailed to you

Do not give your personal access number to anyone.

If you have any other questions about your claim, or you would rather talk to a WCB representative than use the automated system, call your local WCB office or call centre (phone numbers are listed at the back of this handbook).

Tips on managing your claim

- Use page **v** to record the important details of your claim.
- Keep your claim and personal access numbers handy when talking to WCB staff members.
- Make photocopies of all paperwork to do with your claim (forms, reports, receipts, etc.)
- Keep notes of phone conversations with WCB staff, your doctor, and your employer (the date and what you discussed).
- Keep all receipts for prescriptions and other health care benefits.
- If you can't get in touch with your case manager, ask for the team assistant working on your claim.
- Be patient but proactive. The WCB of B.C. receives about 155,000 claims every year, and making decisions can sometimes take time. But if you have questions or concerns, please call us to discuss them.

Who is on your WCB team

Depending on how long your injury is expected to last, a variety of WCB staff may help you. People with short-term claims (less than three weeks) will usually come into contact with only the following WCB staff:

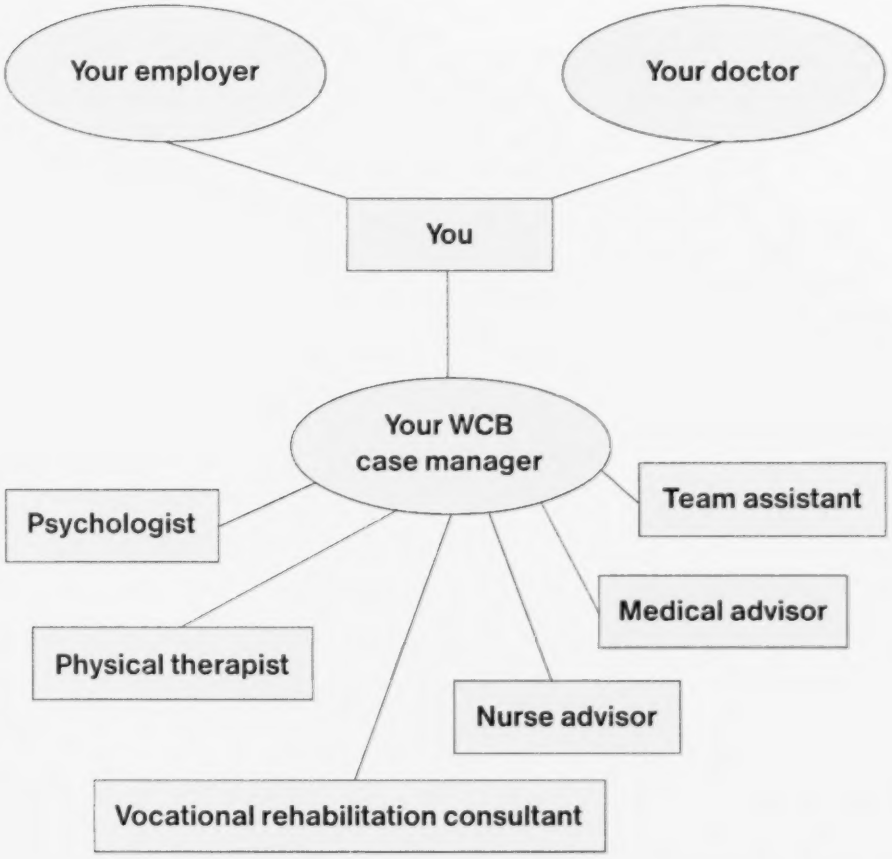
- Client service representative – Answers questions and makes entitlement decisions on straightforward claims.
- Entitlement officer – Makes decisions on straightforward and complex cases; manages straightforward cases.
- Service expediter – Supports the entitlement officer and arranges work conditioning referrals.
- Nurse advisor – Supports the entitlement officer to arrange early return-to-work opportunities.

People with longer-term claims work with a greater variety of WCB staff. If you have a complex claim, you will be assigned a case manager (case managers are similar to what used to be called "adjudicators"). Here are the people you will likely work with:

- Case manager – Coordinates all aspects of your case, including the efforts of your WCB team, your employer, union representatives, and health care providers. Your case manager is your most important WCB contact.
- Team assistant – Supports the case management team by scheduling appointments, maintaining information, and preparing correspondence.
- Medical advisor and nurse advisor – A doctor or nurse who provides consultation on health care matters such as rehabilitation and treatment plans; works directly with your family doctor. They also help facilitate return-to-work programs.
- Vocational rehabilitation consultant – Works with you and your case manager to identify and overcome the obstacles preventing your return to work and to set up programs or training to make your return to employment possible.

- Physical therapist – Helps you return to your pre-injury physical abilities or as near to them as possible through exercise and education.
- Psychologist – Helps you deal with any emotional or psychological aspects of your injury or disease.

The goal of everyone on your team is your early, safe, and lasting return to work.



Your WCB case manager coordinates all aspects of your case, including everyone on your WCB team.

Benefits

Types of benefits

When you have an accepted claim with the WCB, we will pay accepted medical expenses and wage-loss benefits, plus any necessary rehabilitation services, to return you to a productive life. We also provide permanent disability benefits where there is a permanent disability and pay toward funeral costs if there is a death. Pension benefits are provided to dependants of workers who have been killed on the job.

If you have any questions on whether a product or service is covered by the WCB, call your case manager or entitlement officer. If you move, please give us your new address and phone number.

Wage-loss benefits

Your wage-loss payments will usually be 90 percent of your average net earnings at the time of your injury. In determining your average net earnings, the WCB will deduct probable Canada Pension Plan contributions, Employment Insurance premiums, and federal and provincial income taxes. Average earnings may not exceed the WCB's maximum insurable wage rate, which is approximately $61,300 a year. The minimum and maximum wage rates are adjusted every year. If you are an apprentice or learner*, were employed less than 12 months with the accident employer, are a casual worker, or are an independent operator or employer who has purchased coverage from the WCB, special rules may apply. You may be asked to supply confirmation of your earnings to the WCB.

If you are still receiving compensation 10 weeks after the date of injury, we will review your rate. You may be asked for your T4 earnings slips and income tax returns to verify your earnings.

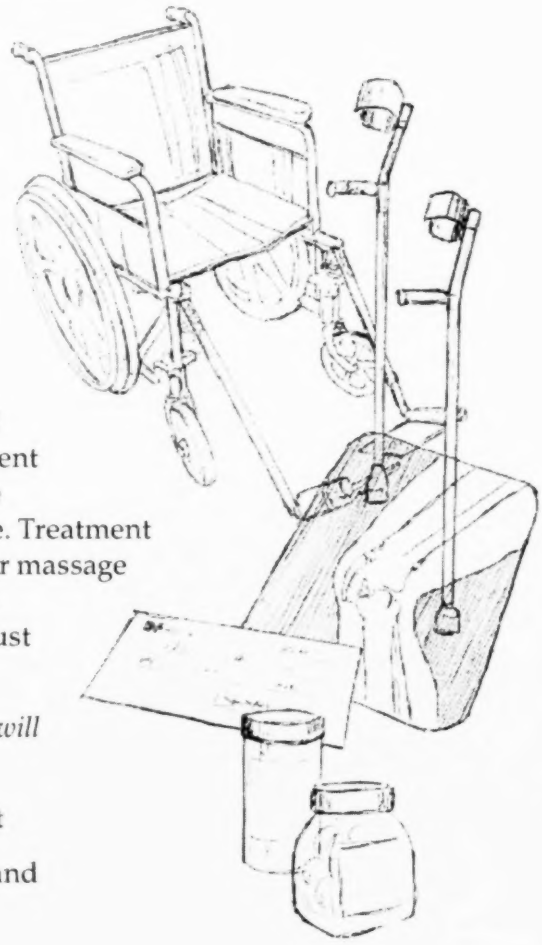
Setting wage rates is sometimes not straightforward. If your work is casual, temporary, in varying shifts, or for multiple employers, please discuss your work schedule with the WCB officer handling your claim.

You do not pay income tax on your WCB compensation payments.

* A learner is a worker who is undergoing training or probationary work that is preliminary to employment.

Health care benefits

If your claim is not accepted, you will be responsible for paying for medical services and supplies. If your claim is accepted, the WCB may pay for medical services and supplies required to help you recover from your compensable injury. **Some of these products or services must be preapproved by your WCB claim representative before we will pay for them.** If you're not sure if a medical service or supply is covered, contact your case manager or entitlement officer before you purchase it. Examples of medical services and supplies that may be covered include:



- Treatment by a chiropractor, naturopath, doctor or specialist, or treatment by a physical therapist or massage therapist when referred by a doctor. (The WCB will usually pay for treatment from only one of these professionals at a time. Treatment by a physiotherapist or massage therapist that extends beyond four weeks must be pre-approved.)

  Note: Not all therapists will treat WCB clients.

- Treatment by a dentist
- Hospital, laboratory, and X-ray services
- Nursing care
- Personal-care assistance
- Prescription drugs related to the injury you are being compensated for

- Medical supplies, appliances, or equipment including artificial limbs, canes, dentures, hearing aids, wheelchairs, eyeglasses, crutches, back and leg braces, and some orthotics
- Home, vehicle, or workplace modifications, if required
- Other expenses that are a necessary part of your medical care or recovery

If your claim is accepted, in most instances the practitioner bills the WCB directly. You should not be asked to pay. If you are asked to pay, contact your WCB officer.

Permanent-disability benefits

If there is evidence that a work-related injury or disease has permanently disabled you, you will be assessed to determine whether you are eligible for permanent-disability benefits and will be advised accordingly.

The WCB may provide vocational rehabilitation to help you overcome the effects of your injury or disease.

Death benefits

If you die as a result of a work-related injury or disease, the WCB will pay benefits directly to your dependants, as well as pay toward your funeral costs.

If your employer continues to pay your salary

Instead of taking you off the payroll while you are off work because of your work-related injury or disease, your employer may decide to keep you on full salary. In this case, the WCB pays the wage-loss benefits directly to your employer.

When benefits begin and end

Your wage-loss benefits from the WCB start the first scheduled shift lost after the day you suffer a work-related injury or disease. However, health care costs are covered starting on the day you are injured.

You will receive wage-loss benefits until your case manager concludes you are able to return to work or have recovered from your injury. If your employer can provide light or modified duties that are safe, suitable, and productive, you can return to work at those duties.

WCB benefits can be suspended if:

- You do not attend or do not cooperate in a medical examination or program arranged by the WCB
- You participate in any activity that might delay your recovery
- You refuse treatment recommended by the WCB
- You refuse to participate in an appropriate return-to-work plan
- You fail to provide information requested for adjudication purposes by the WCB
- We discover your claim is fraudulent

Rehabilitation

Physical rehabilitation

The WCB uses a treatment program that is set up in a series of steps from the simplest to the most complex. Three weeks after your injury, we may call and ask you to see your doctor and discuss active treatment – if active treatment is appropriate. Once we get your doctor's approval, we'll refer you to the nearest WCB-approved treatment centre that can see you within a week.

You may be referred to a WCB-approved clinic near your home for physical therapy, work conditioning, occupational therapy, or other specialized treatments. The goal of rehabilitation is to enable you to return to work.

Psychological treatment

If the WCB staff member handling your case believes that, as a result of your injury, you are entitled to and would benefit from psychological treatment, he or she will refer you for an assessment. You may then be referred for treatment, usually by a registered psychologist. The WCB will cover the cost of this treatment.

Your rights and responsibilities

Your right to claim

By law, your employer must report any workplace injury or disease to the WCB within three days. Telling you to not report an injury or disease, or even trying to talk you out of reporting to the WCB, is against the law. You have the right to report any workplace injury or disease.

At the time you're injured, if you need an ambulance or transportation from your workplace to your doctor's office or the hospital, your employer must, by law, pay those costs.

Your right to review and appeal decisions

If your claim or an aspect of your claim is not accepted by the WCB, we will send you a letter explaining the reasons and a brochure explaining the review and appeal process. If you don't understand the decision or the reasons behind it, contact the WCB staff member who wrote the letter.

If you disagree with the decision, you can have it reviewed. If you disagree with the review decision, you may be able to appeal it, depending what the decision relates to. There are specific time limits that apply to the review and appeal process. To have a decision reviewed, you must file a request for review within 90 days of the date of the decision. To appeal a decision, you must file a notice of appeal generally within 30 days of the date of the decision. Check the *Claims Review and Appeal Guide* for details (available online at www.worksafebc.com).

Your rights to access and privacy

You have a right to see your WCB claim file and all records relating to your claim. Your claim file and its contents will not be disclosed to anyone unless you request it. However, if you or your employer begin an appeal, your file becomes available to both of you. To request a copy of the information in your claim file, send a letter to the Disclosures Department. To request a copy of information about

you that may be located apart from your claim file, send a letter to the Freedom of Information and Protection of Privacy Department (addresses are listed at the back of this handbook).

Your right to impartial advice and to make complaints

There are several ways to get advice or make complaints:

- Workers' advisers – If you disagree with a WCB decision and want independent advice, workers' advisers are available at no cost to you. The provincial government pays for this service. Contact a workers' adviser at any point in your disagreement with the WCB.
- WCB Complaints Office – If you feel you have been treated unfairly by the WCB, you can contact the WCB Complaints Office, which will work with you to resolve your complaint or concern.

Phone numbers and addresses are listed on page 18.

Your rights when a third party is involved

If you are injured on the job and the cause was someone who is neither a worker nor an employer, you may choose to sue for damages rather than claiming compensation from the WCB. However, you cannot sue an employer, another employee, or a fellow worker. For information, contact your nearest WCB office.

If your injury is the result of a crime, you may be eligible for crime victim assistance. For information, contact the office of the Ministry of Public Safety and the Solicitor General. There is a toll-free victims' information line at 1 800 563-0808.

Your responsibilities when you have a claim

Report injuries. If you are injured at work, you must report it to your employer, who must report your injury to us. Even if the injury is minor and results in little or no time lost from work, it is in your interest to report it.

Tell us if you are working. If you are receiving benefits from the WCB, you must, by law, tell us if you are doing any paid work. If you are considering working while on compensation, talk to the WCB staff member handling your case to ensure it won't jeopardize your recovery. While we encourage a safe, early return to work, not reporting paid work is fraud, which the WCB takes seriously.

Keep in touch. Contact the WCB and your doctor if there is any change in the status of your recovery or if you move. Call your employer regularly to see if he or she can provide light or modified duties.

See your doctor. Continue the medical treatments prescribed by your doctor and see him or her as often as your condition requires. Take your medication, continue your therapy, and attend any rehabilitation programs your doctor sends you to. Your job now is to recover from your injury and return to work.

Returning to work

When to return to work

You should return to work as soon as it is *safely* possible. Your doctor and other health care professionals send progress reports to the WCB staff member handling your case.

What is a "return-to-work" program

To help you return to work during your recovery period, discuss with your employer any transitional tasks that are safe for you to do until you have fully recovered. That could mean light or modified tasks, shorter hours, or duties that are entirely different from your usual work for a set period of time. Your case manager will work closely with your doctor, your employer, your union, and you to make sure the duties are safe, suitable, and appropriate. If your employer suggests something you feel is unsafe, discuss your concerns with your WCB case manager.

If your employer doesn't have an established return-to-work program, your WCB case manager will assist in creating a program that's right for you.

Upgrading your skills or retraining for a new job

If you are unable to return to your job and your employer has no other suitable jobs available for you to do, the WCB may help you seek employment with another employer or, if needed, prepare you for another job with another employer.

Return-to-work priorities

We have a series of priorities for your return to work. If the first option is not possible, then we use the second. If the second option is not possible, then we use the third, as follows:

1. Doing the same job with your current employer
2. Doing a new job with your current employer
3. Doing a new job with a new employer

Your vocational rehabilitation consultant or case manager can explain this process in more detail.

For more information

WCB web site: www.worksafebc.com

The WCB's web site contains a wide array of information about all aspects of the Workers' Compensation Board of B.C., including publications and forms.

WCB office locations and phone/fax numbers

Mailing address and fax number
All written correspondence with the WCB should be mailed or faxed to the address below, not to the regional or local offices.

Workers' Compensation Board of B.C.
PO Box 4700 Stn Terminal
Vancouver BC V6B 1J1
Toll free fax 1 888 922-8807
Greater Vancouver fax 604 233-9777

WCB call centre
604 231-8888 or 1 888 967-5377

Local WCB offices

Head Office / Richmond
6951 Westminster Highway
Phone 604 231-8888
1 888 967-5377
Fax 604 233-9777
1 888 922-8807

Abbotsford
2774 Trethewey Street
Phone 604 556-2000
1 800 292-2219
Fax 1 888 922-8807

Burnaby
450 – 6450 Roberts Street
Phone 604 232-5900
1 888 967-5377
Fax 604 233-9777

Coquitlam
104 – 3020 Lincoln Avenue
Phone 604 232-1900
1 888 967-5377
Fax 604 233-9777

Courtenay
801 30th Street
Phone 250 334-8701
1 800 663-7921
Fax 1 888 922-8807

Kamloops
321 Battle Street
Phone 1 888 922-6622
1 800 663-3935
Fax 1 888 922-8807

Kelowna
110 – 2045 Enterprise Way
Phone 250 717-4301
1 888 922-6622
Fax 1 888 922-8807

Nanaimo
4980 Wills Road
Phone 250 751-8000
1 800 663-7382
Fax 1 888 922-8807

Nelson
524 Kootenay Street
Phone 250 354-5700
1 888 922-6622
Fax 1 888 922-8807

North Vancouver
400 – 224 Esplanade Ave. W.
Phone 604 232-1522
1 888 875-6999
Fax 604 233-9777

Prince George
1066 Vancouver Street
Phone 250 561-3715
1 888 922-6622
Fax 1 888 922-8807

Surrey
100 – 5500 152 Street
Phone 604 232-7000
1 888 967-5377
Fax 604 233-9777

Terrace
4450 Lakelse Avenue
Phone 250 615-6600
1 888 967-5377
Fax 1 888 922-8807

Victoria
4514 Chatterton Way
Phone 250 881-3400
1 888 967-5377
Fax 1 888 922-8807

Other WCB services

Disclosures Department
PO Box 5350 Stn Terminal
Vancouver BC V6B 5L5
Phone 604 279-7607
Fax 604 276-3102

Freedom of Information and Protection of Privacy Department
PO Box 2310 Stn Terminal
Vancouver BC V6B 3W5
Phone 604 279-8171
Fax 604 279-7401

Review Division
PO Box 2071 Stn Terminal
Vancouver BC V6B 3S3
Phone 604 214-5411
1 888 922-8804
Fax 604 232-7747

WCB Complaints Office
PO Box 5350 Stn Terminal
Vancouver BC V6B 5L5
Phone 604 276-3053
1 800 335-9330
Fax 604 276-3103

Related organizations

Workers' Compensation Appeal Tribunal
150 – 4600 Jacombs Road
Richmond BC V6V 3B1
Phone 604 664-7800 / 1 800 663-2782
Fax 604 664-7898

Workers' Advisers
www.labour.gov.bc.ca/wab/

Abbotsford
Phone 604 870-5488 / 1 888 295-7781

Campbell River
Phone 250 830-6526 / 1 888 643-0013

Workers' Advisers (continued)

Kamloops
Phone 250 371-3860 / 1 800 663-6695

Kelowna
Phone 250 717-2096 / 1 866 881-1188

Nanaimo
Phone 250 741-5504 / 1 800 668-2117

Nelson
Phone 250 354-6933 / 1 866 354-6933

Prince George
Phone 250 565-4280 / 1 800 263-6066

Richmond
Phone 604 713-0360 / 1 800 663-4261

Victoria
Phone 250 952-4393 / 1 800 661-4066

Health and safety information

Prevention Information Line
Answers questions on workplace health and safety, worker and employer responsibilities, and reporting a workplace accident or incident. You do not have to give your name.

604 276-3100
1 888 621-SAFE (7233)

Health and safety emergency and accident reporting

604 276-3301
1 888 621-7233

After-hours 604 273-7711
1 866 922-4357 (WCB-HELP)